

QUID NOVI

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QUID NOVI

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Editorial/Éditorial 'Wayfinding' through Charles de Gaulle: A Reflection on Airport Semiotics

by Courtney Retter (Law II)

Over Canadian Thanksgiving, I was fortunate enough to be given the opportunity to travel to Paris. I initially thought I would use one of my bi-monthly editorials to recommend a few Parisian hotspots. I have opted instead, however, to share my encounter with a baldheaded lady in an A-line, knee-length skirt. I am sure you have all met her before...she is, after all, the universal sign for the female toilet.

In my jetlagged stupor, I cannot take my eyes off of the blue and white pictogram on the door of the women's washroom. As I sit with my passport in hand and knapsack in tow, I find myself inexplicably drawn to the sign. I begin to consider a familiar paradox: *I know that this sign is indicative of the female toilet without ever having been to this particular washroom facility in this specific terminal of Charles de Gaulle.* In fact, if it weren't for the kitschy Eiffel Tower keychains being sold in the shops, I would have no reference to my actual current location.

continued on p. 13

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Contributions should also include the **student year** of the contributor.

LSA COUNCIL: TOO LITTLE TOO LATE?

by Charlie Feldman (LAW II) – 2nd Year Class Co-President

While I normally attempt to put something lighthearted in every Quid, I feel compelled to write on an issue that's of particular personal importance and that is of relevance to every law student here at McGill.

Your LSA Council (or, as the LSA Constitution calls it, the 'Board of Directors') has yet to meet this year. Well, to be more precise, your Executive, class presidents, Faculty Council representatives, and law senator have yet to be in the same room this semester. As I write, our first meeting is in the planning stages.

Article V-12 of the LSA Constitution states: "The Board shall meet at least once between the beginning of classes in the Fall Term and October 15th, and thereafter at least once every two weeks during the period while classes are in session".

Not meeting prevents us from acting on your behalf. It also prohibits us from fulfilling our responsibilities, such as the one mandated by Article IV-17(f) of the LSA constitution: "To adopt a preliminary LSA budget for the academic year before October 30th, which shall include adopting the budget of LSA Groups".

What you may not know is that Article V-15 of the Constitution states that "During the period from May 1st until the first meeting of the newly elected Board of Directors, the powers of the Board shall be exercised by the Executive, as is reasonably necessary."

The Executive has been meeting. The problem is that the Board as it was intended – i.e. acting as a full Council – has not.

HOW DID WE GET HERE?

Before moving forward, I should note that I do not believe the situation is attributable to the fault of any one person. Indeed, I must acknowledge the

hard work of the Executive and point out its efforts at transparency, such as the recent Town Hall on the budget.

Également, j'apprécie beaucoup le rapport du VP-Clubs et Services paru dans le Quid de la semaine dernière, et je pense qu'il aidera à éclairer le débat lors d'une réunion du Conseil de l'AÉD. Ceci dit, nous étions censés nous exprimer formellement sur le budget préliminaire, et ce avant la fin du mois dernier. Il est dommage que nous n'ayons pas eu cette chance.

Le Conseil de l'AÉD comprend les présidents de première année ainsi que les membres du conseil de la faculté. Il est regrettable que les élections pour ces postes n'aient pas eu lieu plus tôt – l'annonce des gagnants a eu lieu le 22 octobre.

I say 'regrettable' because it would be difficult to assign blame here. The rules do not specify by when elections must occur. Indeed, later elections are preferable because they allow first-years to get to know one another before having to vote, allowing the election to be more than just a snap-judgment popularity-contest should it occur, say, in the 2nd week of September.

This is the problem: later elections delay the first possible meeting of the full group, extending the amount of time the Executive can assert powers meant for the Legislative. As soon as October 15th passes without a meeting, we violate the spirit – if not the letter – of our Constitution.

(As a side note, I propose we specify a date by which elections must occur so that we can have our first meeting by October 15th. The alternatives are unappealing – scrapping the October 15th requirement leaves open the possibility of LSA Council never meeting; moving it later could lead to this situation recurring; and meeting prior to elections disenfranchises first-year students any may be prohibited).

Le corps législatif de l'AÉD (le Conseil) peut travailler aussi fort que l'Exécutif si on leur donne la chance. Personnellement, je me sens comme si je n'ai pas été autorisé à remplir mon mandat comme président de classe parce que ces réunions n'ont pas eu lieu et les by-laws exigent que les présidents de classe « représentent leur promotion aux assemblées du Conseil ». Having a vote on Council is part of the reason I sought re-election. Not meeting silences my voice in this regard.

TOO LITTLE TOO LATE?

Simply put, although I am confident we will be productive once we get going, I am greatly concerned that this semester may be a 'loss' as for the work of the Council. If we meet every two weeks, we'll have two meetings in November, maybe one in December –and I am skeptical that we will accomplish a semester's worth of work in just three meetings, particularly when the first is dominated by many pro forma proceedings, such as the election of speaker.

Further, any action we undertake as an LSA Council raises questions of legitimacy. Rumour has it the budget will be on our agenda for our first meeting (as I write this, the agenda has yet to be circulated). But, here's the problem: will its adoption be legitimate given that this did not occur before October 30? What about the election of our speaker (required by the Constitution before October 15th)? What about any action of the Council for the rest of the year, given that we did not meet per the exigencies of the Constitution? Do we have a Constitutional crisis on our hands?

The answers to these questions are not entirely clear. What is clear is that we have not lived up to the spirit – if not letter – of the LSA Constitution. We lose credibility by allowing this to happen.

AN APPEAL TO THE J-BOARD

For extra clarity, let me reiterate that I believe no one person is to blame. I consider many of the people involved friends and view the LSA Council as a giant family, even if our family reunion has yet to occur.

That said, this type of situation should not be allowed to recur.

Article IX-33(1) of the Constitution states that "Any member of the Corporation or any LSA Group may refer questions or disputes to the Judicial Board."

Accordingly, I would like to refer to the J-Board a few questions, the answers to which may help guide future action in this regard. Given that Council meetings will begin soon, I seek neither to assign blame nor have sanctions imposed on anyone for our failure to meet. I do, however, believe there is great value in obtaining clarifications for future reference.

- 1) Is it the duty of the CRO to set an election date that allows the LSA Council to meet its exigencies per Constitution, or, apart from the formal requirements indicated does the CRO have complete discretion in this regard?

(Explanation: If yes, we do not need to change our by-laws to specify a date by which an election must occur. If no, we need to change the by-laws).

- 2) May items for which the Constitution specifies a date (such as election

of LSA Speaker by October 15th, adoption of the preliminary budget by Oct 30th) occur after these dates? May they be challenged for failing to comply with the Constitution? Or, will they be valid in an instance such as ours where Council has failed to meet?

(Explanation: When a date is specified by the Constitution, are the actions required to occur before that date legitimate if preformed after that date? Are there circumstances in which noncompliance is acceptable?)

- 3) Acting under V-15, is it appropriate for the Executive to undertake any actions specifically set for Council as per IV-17 ?

(Explanation: IV-17 is for the Legislature exclusively (i.e. must approve the budget) – can the Executive do this alone?)

- 4) Can LSA Council meet prior to the election of first-year class presidents and faculty council?

a. If yes, who sits? (I.e. does V-15 preclude elected class presidents and the law senator from convening with the Executive in the form of the Legislative)?

b. If yes, may the Council vote? May it adopt its own budget or must the full Council – including first-year presidents – be reserved the right to vote on this as IV-17 appears to indicate?







c. If no, and there are no meetings occurring that include those persons elected for the academic year, how might the full Board convene to fulfill its responsibilities?

CONCLUSION

Through a series of events not attributable to the fault of any one person, LSA Council has not yet met. This is undesirable for everyone. LSA Council will start meeting shortly and I look forward to our work.

In order to understand the issues related to the circumstances in which we find ourselves, J-Board opinions will be invaluable. They will help guide and inform LSA action, not just for this year but for years to come, though I concede they may be a while in coming. In this regard, they are submitted as reference questions should similar circumstances arise in the future, and not as a request to pronounce directly on the situation presently before us. As such, the J-Board may decide they do not merit a reply.

Changes need to be made so that this situation does not recur. Exactly what needs to change will be informed by any guidance the J-Board may provide, and, I'm sure, these issues will be discussed by LSA Council in due course.

	Mardi 10 novembre	Mercredi 11 novembre	Jeudi 12 novembre	Vendredi 13 novembre	Samedi 14 novembre	Dimanche 15 novembre
						
	Ciel variable	Ensoleillé	Ensoleillé	Ensoleillé avec passages nuageux	Nuageux avec éclaircies et averses isolées	Généralement ensoleillé
P.D.P.	20%	10%	0%	20%	40%	20%
T. Max	12°C	6°C	7°C	8°C	7°C	4°C
T. Min	3°C	-1°C	-3°C	0°C	2°C	0°C
Vents	NO 15 km/h	NO 5 km/h	E 5 km/h	NE 5 km/h	SE 20 km/h	SO 10 km/h
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Time to stop exaggerating about « patronage »

by Professor Roderick A. Macdonald

Recently several stories have appeared in Canadian newspapers criticizing the latest round of federal judicial appointments. The complaint is that these are patronage nominations – rewards for loyal members of the Conservative party. Some journalists have also linked these appointments to an address delivered by the Prime Minister some weeks ago. To galvanize party loyalists, the Prime Minister said that he would ensure that there would be no “left-wingers” appointed to the courts during his watch. This obviously political speech meant to rally the troops was quickly interpreted as evidence that the Harper government intended to “stack the bench” with right-wing ideologues.

Oh please, everybody, calm down. Can't we distinguish between a political speech and government policy? And pretty please, everybody, let's stop whining about “patronage”. In a democracy, elected governments that have the confidence of the House of Commons (whether minority or majority), are entrusted with managing public affairs. This involves appointing people to courts, administrative tribunals and senior positions like ambassadorships. Governments quite legitimately make numerous appointments from among qualified candidates who are broadly sympathetic to their policy programme. Occasionally they even appoint candidates who may not be on the same policy page. As it happens oftentimes appointees who share the government's political orientations have close ties to the governing party. But sometimes not. So what?

As a matter of good governance, the only issue that should concern us is whether a candidate is qualified, not whether that candidate has certain political views with which we may disagree, or whether that candidate has

supported the governing party. It's time to stop exaggerating.

Recently it was reported that a person named to a Superior Court had donated \$300 to the Conservative Party. Wow, that sure is evidence of corruption! I have myself donated \$100 to a former student who was running (successfully) as a Conservative candidate in the last election. I've also made similar donations to former students running as Liberals and for the NDP. To give full disclosure, I have never voted for a Conservative or Reform candidate. And I disagree with many decisions taken by the present government, such as the decision to stop funding the Law Commission of Canada. But in a democracy, we elect governments to govern. If I am unhappy with decisions being taken, my remedy is to become engaged politically.

It is ludicrous to suggest that because I once donated \$100 to the Conservative Party my (unlikely) future appointment to a court or administrative tribunal is either an ideological or a patronage appointment. There is no suggestion that any of this recent round of “patronage” appointees to the court or elsewhere is unqualified. More than this, this summer there were a number of excellent federal appointments to Quebec courts, many of whom were appointees who are known NOT to be supporters of the Conservative Party.

This said, let me make one important point. I'm not arguing that all is wonderful with the appointments process and no improvements need be made. We have established credible processes to screen candidates for judicial appointments. While these processes might be tightened, unlike the case 50 years ago, today unqualified candidates simply do not make the grade. Still, there are several hundred other non-judicial

positions that are filled by appointment without the benefit of screening processes. As a rule, we can be confident that our governments – Conservative or Liberal – have tried to avoid appointing unqualified candidates to these positions. It would be better, however, if we were to identify all these positions, develop standards to assess the qualifications of candidates for each general type of position, and establish a screening process similar to that for judicial appointments.

This would ensure that the entire pool of candidates put forward to the government was qualified. After that, the political calculus could be made and the government could select candidates it prefers, knowing that they have been deemed qualified by an independent body. Those who want to improve the appointments process should stop whining about patronage: having given \$300 to the Conservative Party does not make one's appointment a patronage appointment. And even if the appointee were a known supporter of the Conservative Party, by what logic does that fact alone make the appointee unqualified? Please, let's address the real issue: our goal should be to ensure that qualified candidates are appointed. It's time to keep our eye on the ball and stop exaggerating.



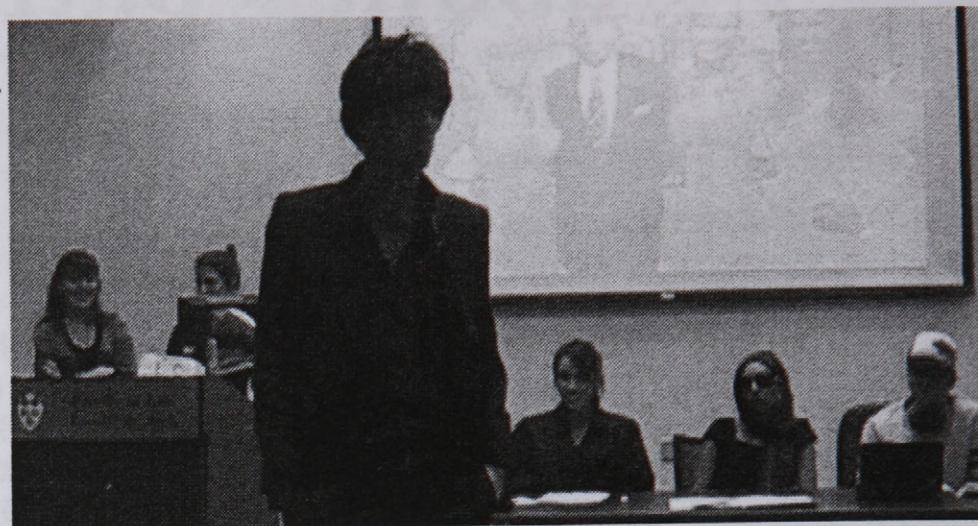
DROIT À L'IMAGE

Charlie Feldman (LAW II)

Review: Canada's Next Top Lawyer

The Quid was enthralled with the first slide – reading 'Canada's Next Top Lawyer' while the theme music to America's Next Top Model played. In other words, the first words of this presentation were (as sung by Tyra 'forehead' Banks) 'Do you wanna be on top?' There is perhaps no better start to Monday legal meth than that.

Although there was no catwalk strutting, photo challenge or 'Tyra Mail' – this game show, hosted by Tommy Sunshine (Joel Lightbound) showcased an all-star cast tackling issues in the lawyer-client relationship.



Lightbound's portrayal of a misogynist, macho, and all-together sketchy game show impressed the Quid. After all, it is a far cry – if not a complete 180 – from what he is like in real life and was entirely unexpected. The Quid loves surprises!

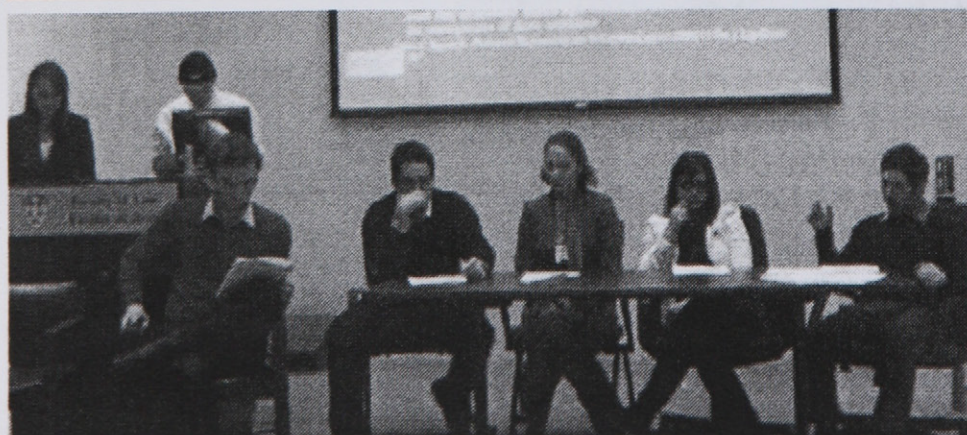
As for the game itself, three lawyer teams of two answered questions in an attempt to impress the judges. There was the nerdy team, the punk-rebel team, and the just-right team – all giving creative approaches to the situations presented in an effort to win over the mean judge, the CBA-judge, and well, a judge who seemed out of it (Steven Jegou).



Jegou's pronouncements ranged from a critique one would hear on America's Best Dance Crew to a citation from "Justice Akon". The mean judge (Sarah Berger-Richardson) delighted with one-liners, such her quip that the leather-clad 'bad-ass' lawyer (in this instance portrayed by Yasmin Askari) would be better suited for 'Canada's Next Top Street Walker!'

Dans le milieu de la vignette il y a eu un petit problème lorsque la mauvaise question a été lue, mais les acteurs ont bien réagi pour la plupart. C'était un peu gênant sur le moment, mais une fois que les choses furent sur la bonne voie, la vignette retrouva son humour avec une référence oblique à «You've got mail» un des films préférés du Quid. Tout est pardonné.

Superlatives : Best Improv : Joel Lightbound; Most Menacing : Yasmin Askari; Most Most Passionate: Nora Ahmed.



Review: Romania, Micholas Nelling

This presentation – a cross between Law & Order and a Disciplinary Hearing of the Bar - portrayed the plight of one Micholas Nelling (Randall Blom) (who assured us of no relation to the group's TL 3L Nick Melling in the choice of name) as he tackles tough issues ranging from blackmail in a Romanian parking lot to gym perks at his firm.

The Quid won't spoil the ending by telling you that he gets disbarred, but will salute the group on a compelling

DROIT À L'IMAGE

Charlie Feldman (LAW II)

illustration of the problems in-house counsel face.

The Quid's personal favourite sequence: an illustration of home life for the lawyer. At the risk of oversimplifying, the in-house counsel is not going to point out that his boss' plan is ethically questionable lest he get fired and have no money to bring home. As such, we see the plight when Melling goes home and must inform his wife (Ana Emilia Poienaru) that her new car is a Dodge Stratus.

Poienaru joue la conjointe battue avec aplomb, insistant sur le fait que si c'est le cas, elle préfère se promenade en cheval. Elle le quitte, et lui laisse son fils, le surdimensionné Ehssan Emran.



Creativity points go to the group for choice of filming locations, including the squash courts, a ridiculous sequence on exercise bikes, and of course, the parking garage as a representation of 'Romania'.

Best editing: Oscar Miklos. Best individual portrayal: Ana Emilia Poienaru. Best Disciplinary Board: Jon Katz, Aidan Talai, Larissa Smith, Chanel Sterie (the Quid couldn't pick who was best). Best Squash Player: Alex Sauveplane.

Disons (overheard at the faculty)

Well, submissions were a little low this week – perhaps it's time to remind you where to send stuff (omitted by accident last week) – anything you'd like to submit: quid.charlie@gmail.com

"This is for all the octogenarians looking for a little love and comfort as the sun goes down" – Prof. Leckey

"Very few people wake up and find themselves all-of-a-sudden married; I guess it happens from time to time in Vegas" – Prof. Leckey

"Your welcome to the faculty was very different from mine – I got a 'look left, look right, and in three years only one of you will be here'. I was extra nervous because I looked to my right and realized I was sitting on the aisle." – Prof. Jukier

3L: I wish it would just start snowing... I hate this cold-without-the-snow. It's like something's missing. It's like... not hearing Céline on the radio.

2L: I'm procrastinating hardcore on this paper by typing up in Word all the mean things I want to put on this course eval. Revenge is SWEET!

2L: Mom always said that if you didn't have anything nice to say that you shouldn't say anything at all - does that rule apply on course evaluations?

3L: Go Habs Go!

2L: I hate seeing all these OCI statuses – I'm going to write one like 'I got 15 offers and can't decide which one' just to start messing with people – why can't people just keep things to themselves?!

2L: Three days in Toronto and the only interesting offers I got were

from drunks at the bar

3L: I laughed during the interview. I realized I was saying the exact opposite of what I put in my personal statement. Oh, law school..

1L: I demand a correction – I know that 'I want it that way' is the Backstreet Boys – I have it on my iPod – I listen to it all the time! ALL THE TIME!

1L: The library needs to get cots.
2L: The library needs to get a two-drink minimum!

3L: What's the difference between a porcupine and an ambulance chasing BMW carrying three lawyers? A porcupine has the pricks on the outside. (The Quid is sure this 3L stole this from somewhere, but it's still going in because our journalistic standards are low, nay, non-existent).

"NOTIONS OF CITIZENSHIP" Column

An Initiative of the Black Law Students' Association at McGill

This year the Black Law Students' Association at McGill (BLSAM) has chosen to focus on the theme "Notions of Citizenship". One of our goals this year is to generate discussion amongst law students about what it means to be a citizen. To further this objective, we decided to start a Quid column. This is an inclusive column, designed to illumi-

nate important, yet often overlooked issues. We look forward to a rich and diverse selection of articles!

Si vous avez un article ou une définition intéressante sur la notion de citoyenneté à soumettre, veuillez nous envoyer un courriel à blsa.law@mail.mcgill.ca. (Les articles soumis directement au

Quid n'apparaîtront pas dans la rubrique de BLSAM). De plus, l'article publié dans le Quid sera disponible sur notre site-web: www.blsam.mcgill.ca. Ce projet dépend de votre participation!

BLSAM Executive 2009 -2010

STUDENT GROUPS BEWARE: DON'T ROCK THE BOAT TOO MUCH... OR ELSE

by Sasha Hart (LAW II)

"The multiple consciousness I urge lawyers to attain is not a random ability to see all points of view, but a deliberate choice to see the world from the standpoint of the oppressed. That world is accessible to all of us...We can choose to know the lives of others by reading, studying, listening, and venturing into different places." – Mari Matsuda

Annamaria Enenajor's article, 'A Second Look at McGill's Intrepid Global Citizens' offered a thoughtful critique of the human rights work done in the McGill community and warned of the dangers of a lack of "conscious sensitivity" to the historical/social nuances underlying these endeavours. What I appreciate most about Enenajor's article is that it accomplishes what good critiques are supposed to do. It forces us to stop and reflect on an issue that we may have previously given little thought to, or regarded as insignificant. Her article urges healthy, critical reflection on something so familiar to all of us—"the classic African baby photo"—challenging us to consider such questions as whether we would "find it acceptable to run around Geneva taking pictures of Swiss babies and 'local women'" or whether "we would find it an intrusion of privacy". Her critique is indeed interesting, but not *entirely* novel. As she notes in her

article, many scholars and practitioners have been voicing similar concerns about contemporary human rights work.

While the general response to her article has been largely positive in the sense that it has managed to stir reflective discussion among fellow students, I am deeply concerned about a particular incident that occurred following its publication—an incident which I am still struggling to make sense of. What happened was this: a fellow law student contacted the Black Law Student's Association to express disapproval about the article (on behalf of the individual's self, as well as other concerned parties). While I know the type of issue raised in Enenajor's article is always controversial and bound to lead to expressions of alternative viewpoints, what I'm troubled by was the student's remarks that "as a minority group" we should be particularly careful not to "alienate white students" and isolate ourselves in so doing.¹ The student then suggested that publishing such things might have negative consequences on the group's PR within the Faculty.

What should members of the Black Law Students' Association (and perhaps other minority student groups) take

from these remarks? Does it constitute a threat? A warning to make sure that opinions expressed under the group's 'Notions of Citizenship' column are not too radical? To ensure that these opinions fall within a more mainstream view, lest we isolate ourselves further? Whatever the true intentions behind these remarks, they are wholly inappropriate. If a fellow student disagrees with the content of a Quid article and wishes to express that disagreement, one appropriate course of action would be to provide a respectful commentary explaining his/her reasons for disagreeing. What is never appropriate is to suggest that the author and the student group to which that author belongs censor their opinions in the interests of maintaining good PR. The effect of this student's statements is that they have left me grappling with the above questions and wondering whether the lesson we should take from this incident is that we should restrict ourselves to raising more 'apolitical' issues instead.

At an address at Yale Law School in 1988, Professor Mari Matsuda made what became infamous remarks urging for the adoption of a jurisprudential method she labelled "multiple consciousness"—one that involves making an active effort to understand things from the perspectives of others, to

broaden our consciousness of multiple different viewpoints (especially those of traditionally marginalized groups). I think the Quid offers all of us a chance to participate in this consciousness-raising exercise, in that it provides a forum for respectful, open dialogue among law students (all students, of diverse backgrounds, who may have diverse viewpoints to bring to the table). We need to cultivate a safe space for this kind of dialogue to take place where *all* law students, as well as minority student groups, feel like they can voice an

opinion that may not be "mainstream," without fear of threats, or of isolating themselves further.

¹ I would like to note that I don't believe Eneajor's article was in any way solely directed to white students. As a black student who went on an internship to Cameroon this summer, I found her article to be equally relevant to myself as it encouraged me to critically reflect on some of my own conduct/ pre-conceived ideas.

You don't have to be fit to run!

by Marianne Knai (LAW II)

At the beginning of term, I announced that there would be a running group about once a week. The point was to have people from the legal community gather and go for a light run, regardless of level of fitness. Several students have gone running and, I think, have enjoyed it. Others, however, keep coming up to me and saying: "I'm almost fit enough to go running with you!"

Let's set the record straight. First, you don't have to be fit to run. Second, the point is to take some time out during the day to take care of yourself and take a break from whatever you're

doing. Third, I'm a hoot to run with (well, not really, but I don't want to sound moralistic by arguing that your health is important and blah blah blah).

This Wednesday at 12.30 (tomorrow), everyone is invited to come out for a walk/run. Let's make it grand. Those who want to run ahead will and those who want to slow run/walk will. If you are reading these lines, you're invited. This will likely be the last time we go out before the New Year - so why not take 30-45 minutes to have a sweat before hunkering down for a month?

Come on. You know you want to. I know you want to. Just do it¹.

Time: 12.30pm

Place: In front of Nahum Gelber. We'll meet at the doors and walk up to the mountain.

¹ Nike. (Does it make my article a little more serious if I have a footnote?)

Blast from the Past: Hits from 1999 Can you believe it's been 10 years?

- 1 Believe -Cher
- 2 No Scrubs -TLC
- 3 Angel of Mine -Monica
- 4 Heartbreak Hotel -Whitney Houston
- 5 Baby One More Time -Britney Spears
- 6 Kiss Me -Sixpence None the Richer
- 7 Genie in a Bottle -Christina Aguilera
- 8 Every Morning -Sugar Ray
- 9 Nobody's Supposed to Be Here - Deborah Cox
- 10 Livin' la Vida Loca -Ricky Martin
- 11 Where My Girls At -702
- 12 If You Had My Love -Jennifer Lopez
- 13 Slide -Goo Goo Dolls

- 14 Have You Ever? -Brandy
- 15 I Want It That Way -Backstreet Boys
- 16 I'm Your Angel -R. Kelly and Celine Dion
- 17 All Star -Smash Mouth
- 18 Angel -Sarah McLachlan
- 19 Smooth -Santana featuring Rob Thomas
- 20 Unpretty -TLC
- 21 Bills, Bills, Bills -Destiny's Child
- 22 Save Tonight -Eagle-Eye Cherry
- 23 Last Kiss -Pearl Jam
- 24 Fortunate -Maxwell
- 25 All I Have to Give -Backstreet Boys

- 26 Bailamos -Enrique Iglesias
- 27 What's It Gonna Be?! -Busta Rhymes featuring Janet
- 28 What It's Like -Everlast
- 29 Fly Away -Lenny Kravitz
- 30 Someday -Sugar Ray

What the Quid was listening to as editing...

- All or Nothing - O-Town
Too Little Too Late - Jojo
On ne change pas - Céline Dion
End of the Road - Boyz II Men
U Got It Bad - Usher

MBLA: Pursuing Success and a Message to the LSA

by Peter Mantas (LAW I)

The McGill Business Association (MBLA) would like to thank the LSA for funding the proposed events that the organization has planned for the upcoming academic year. The MBLA Executives have great expectations for the club in 2009-2010. A variety of events have already been organized for this upcoming year, all of which deal with topics of immense interest to the student body. The MBLA has increased its members by an outstanding 75 percent in only one year and there are currently over 290 members on the MBLA's mailing list. Consequently, the MBLA is most likely to attract a great number of people at each of its events this academic year.

The McGill Business Law Association (MBLA) seeks to meet the needs of a growing number of students at the Law Faculty, who are interested in either practicing or learning more about business law. With this in mind, the MBLA seeks to bridge the gap between the academics of business law and the practice and expertise of business management.

The MBLA also feels strongly about the academic development of its members and of the Faculty's student body. To this end, it aims to work with the administration in developing and strengthening the business law curriculum of the Faculty. Furthermore, the MBLA wishes to create an opportunity for its members to network and to participate

in various activities by offering its members the opportunity to interact with academics, lawyers and other professionals with experience in the field of business law.

Le MBLA vous présentera une série d'événements, y compris les conférences, des groupes de discussion et des présentations. Ces événements feront partie d'une tradition que le MBLA espère apporter à ses membres sous l'égide des Présidents MBLA Series.

Une fois encore nous tenons à remercier la LSA pour ses efforts remarquables et ne peut pas attendre de rencontrer les étudiants lors de nos événements à venir.



(Not) Rocket Surgery

by Michael Shortt (LAW I)

I wish I'd thought of this theme two weeks ago, as it would have been perfect for the Quid's Halloween issue. Today's column concerns *skeletons in McGill's closet*. And frankly, they make last year's thermobaric research grant uproar look like a non-issue.

1) CIA Mind Control Experiments:

The time is the 1950s. The US Red Scare is at its height and the CIA is engaged in a secret arms race with what it sees as the Communist-dominated "science" of mind control. They turn to, among others, McGill psychiatrist Dr. Ewan Cameron. Cameron specializes in a deeply invasive technique he called "psychic driving." Techniques include repeatedly playing certain of messages via pillow-mics, large amounts of experimental drugs and, in several cases, total sensory deprivation. With the addition of CIA money, Cameron begins an ambitiously callous project to brainwash 53 patients through electroshock therapy and drug-induced comas. The patients upon whom these procedures are tested rarely consented to the "treatment" and have no idea they're being used as guinea pigs for the CIA.

Cameron's "unethical-to-the-point-of-being-downright-evil" experiments came to light after he tried them on the wife of an NDP member of provincial parliament. The entire program was scrapped, although Cameron escaped professional censure and personal liability. However, lawsuits were launched against both the Canadian and US governments, and most victims won large sums in compensation. McGill of course makes no mention of any of this in their biographical note on Cameron (or anywhere else, for that matter).

2) Chemical Weapons: As the history and IR buffs among us already

know, the Geneva Convention outlawed the use of chemical weapons in 1933. Yet as Europe lurched towards the Second World War, all of the great powers were extremely worried that *someone else* would start using poison gas. They had without exception continued to secretly experiment with chemical weapons and knew that nerve gas could be devastating if used on the battlefield or against urban centers. Thankfully, despite a half-dozen close calls, poison gas was never deployed during World War I.

But if it had been, McGill chemist Otto Maass (yes, the one after whom the chem building is named!) would have been at the forefront of Allied efforts. Before the war, Otto Maass was a world-renowned chemist and he used his professional contacts to coordinate research efforts among Canadian, American and British scientists from 1938 to 1945. His work would also contribute to the development of improved gasmasks and filters, as well as new types of toxins that, thankfully, were never put to the test.

3) The Death of Harry Houdini:

Yes, that's right. Houdini gave a lecture to psychology students at McGill on his recent debunking of several psychic mediums. A certain Gordon Whitehead was intrigued by Houdini's claim that he could withstand any blow to his stomach. Whitehead decided to test this claim by punching Houdini several times in the ribs without warning. Houdini doubled up in pain, but seemed to recover, and he continued on his scheduled tour. Houdini would die of appendicitis provoked by Whitehead's attack after repeatedly delaying medical treatment.

Various unreliable sources (including Wikipedia) will try to tell you that Houdini's appendicitis preceded the blows by several days and that, hence, his appendix would have ruptured any-

ways. As someone who had appendicitis in his teens, I can tell you that it's a condition which effectively cripples you... not something you'd be continue to suffer through while performing magic show. Interestingly enough (from a legal point of view), Whitehead was never charged in connection with Houdini's death.

An exercise for the (extremely nerdy) reader is to consider civil or criminal liability for Houdini's death, assuming that Whitehead either caused or aggravated Houdini's appendicitis (and ignoring Houdini's stubborn refusal to seek medical help). Some accounts claim that Whitehead was an amateur boxer - would this impact a judge's findings? What if Houdini had given Whitehead permission and taken the time to prepare himself for the blow? What if the case took place at U of T? Admittedly, not quite as interesting as the *ménage à trois* fact pattern from last year, but close!



10 Holidays That Don't Exist But Should

by Chase Barlet (LAW I)

Some say that these days too many holidays are 'conspiracy holidays' that barely qualify as important. Take, for instance, Valentine's Day, "a commercial stint to get your money and poke fun at single people." On the record, I feel it is important to realize that we have not exhausted our days of rest. In fact, there may very well exist perfectly feasible holidays that would be wildly popular yet don't exist.

Consider:

Yum Day – A day of food and *only* food. Why this has yet to exist in reality remains a complete mystery to me. What kind of marketing would be necessary to get the general public on board with this? VERY little. We have a giant parade down St. Laurent where everyone dances around wearing the costume of a different food. Who wouldn't be filled with glee to see a taco dance the salsa or a bratwurst doing the waltz? Hip-hopping hamburgers and meringues doing ballet, all while music featuring cuisine compliments the mood, including but not limited to odes to legumes and dessert serenades. All throughout the day, citizens will consume as many delicious creations as they can physically force into their mouths.

Bed Day – An entire day where no one gets out of bed except when they deem it absolutely necessary. What you do there is entirely up to you, but as a general rule, everyone stays in bed for at least 23 hours of the day.*

*Pillow forts extending to the ground are permissible provided at least $\frac{3}{4}$ of the pillows and sheets used in the fort's construction remain on the bed. Pillows launched during fights that result in a pillow's displacement from the bed to another part of the room may also be collected in a timely and reasonable manner.

Singles and Break-Up Day – The day after Valentine's Day, all single citizens should report to local stores to purchase flowers and candy at prices that are to

be discounted so as to not include the "Couples Tax" that had been imposed on them before the Valentine's Day holiday. Single people should purchase extravagant gifts and lavishly praise themselves at fancy restaurants that are to offer only single-placed tables. All participants are to buy only exactly what they want to ensure complete and total personal-satisfaction. Recently-made-single individuals who broke up because of poor Valentine's Day gifting the day before will also be invited to participate, but at a 10% mark-up fee to ensure they have learned their lesson for the coming year.

Free Day – On this day, everything will be free in Canada; everything.

Maple Syrup Day – Quebec produces more maple syrup than any other locale on Earth; if that's not a proud monopoly worth celebrating, what is? I realize that here in Quebec, we see a lot of maple syrup complimenting our food, but I can't help but wonder if we could be doing more with maple syrup. In the spirit of the day, only maple syrup or products containing at least 51% maple syrup should be served. At the end of your maple meal, add some ice cubes to a glass of syrup and have a toast to the good health of maple trees everywhere.

Greenland Appreciation Day (or GLAD) – Greenland is a fascinating country full of hard-working, friendly, and exceptionally attractive people. Sad thing is that few people know just great Greenland really is. Why not then learn and celebrate an entire day for them? While rather chilly at best, Greenland's very name conjures up warm and fuzzy thoughts of environmental awareness. What's more, without Greenland, the world would be without a lot of importance ice and the words kayak, anorak, and igloo. Now that's a nation worth celebrating in mass; let's say "qujanarsuaq!" and show the Greenlandic people just how glad we are for them!

Universe Day – Earth Day is impor-

tant, but in this era of globalization and inter-cultural awareness, acknowledging our fellow planets, galaxies, and space gunk neighbours is of paramount importance. On this day, we will all don alien costumes and participate in extra-terrestrial-style corn field designs. Space travel to the international space station should also be offered at a 50% discount for a more affordable ticket price of just 16,000,000\$ CAD.

Cheese Day – What does cheese not do for us? In even the worst situation, cheese can melt away your sorrow. It would be selfish, unfortunate, and a violation of good moral behaviour to not set aside a day where we appreciate cheese. Only cheese need be consumed on this day, leaving you with hundreds upon hundreds of delicious options at hand. Sponsored by Saputo, the person who can eat the most varieties of cheese within one hour will win an all-inclusive cheese-sampling vacation through France, Italy, Holland, Germany, and Greece.

Life-Doesn't-Suck-So-Bad Day – No doubt about it, life is stressful. When times get rough, it's easy to get lost in the depths of self-pity and frustration. Why not, then, enjoy a day where you instead think about how much your life does not suck. The point is not to take comfort in knowing there is always someone who has it worse than you or reflecting on how awful life is for the rest of the world; instead, just think about how lucky you are and the good things you do have sans cynicism. Life-Doesn't-Suck-So-Bad Day will give you a chance to put your life in perspective. Replace "what if I had" thoughts with "at least I do have" thoughts. We recommend celebrating this holiday right around fall semester exams.

Naked Day – Why not?

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As I navigate my way to the exit, I am greeted by a sea of standardized fonts and arrows. I creepily come to the realization that my entire experience in the terminal is regulated by signage that commands me where to go without my ever having consented to its commands.

The professional literature actually has a name for my experience. It is called "wayfinding." Signs in the terminal create a globalized navigational system that form the conditions of travel. You can only move from one point to another if you obey the signs. Gillian Fuller explains in her article, "The Arrow—Directional Semiotics," that signage is, "a spatial mode of interactivity. Graphical signage cools down the anxiety of unfamiliar terrains and replaces it with a familiar authority—the sovereign structures of transit systems."¹ Fuller is on to something here. In the terminal space, I know what to do irrespective of time or location.

I have never seriously considered the level of comfort that goes hand in

hand with the routine of a traveler's itinerary. Arrows guide me to the virtual check-in counter. After receiving my printed "e-ticket," a lady in an *Air Transat* uniform directs me to stand behind other passengers in the company's designated line-up. Once my bags are weighed (and I am ROBBED by overweight fees), I never question the conveyor belt getting my bags to the right destination. My entry into the departure gate is, again, dependent upon following the right signs to the security checkpoint. I am informed of my flight's departure time and gate through flight information displays. I sit by the display and watch it so as to avoid missing the call to my gate. All of this occurs without my ever questioning or challenging the airport's informational architecture. This is, unquestionably, a remarkable process of control.

My relationship with the sign is contentious. On one hand, signage is my ticket to the land of departures. It enables me to navigate through an intimidatingly large and confusing

building. On the other hand, however, it restricts my mobility as a passenger by controlling my every movement. Fuller explains that airport signage is designed in order to democratize the experience of passengers. This reality speaks to the fact that the arrow, despite varying itineraries, levels of stress, literacy and disability, universalizes its instructions. You don't need to speak French in order to know that an arrow pointing left is instructing you to move to the left. You don't need to be a professional chef in order to understand that a fork and a plate are leading you to food. There is a reason why the universal sign for "restaurant" is not a hotdog and a container of fries. What I will *never*, understand, however, is why the universal sign for "woman" is a baldheaded lady.

¹ G.Fuller, "The Arrow—Directional Semiotics: Wayfinding in Transit" (2002) 12 *Social Semiotics* 231 at 233.





In Flanders fields the poppies blow
Between the crosses, row on row,
That mark our place; and in the sky
The larks, still bravely singing, fly
Scarce heard amid the guns below.

We are the Dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved, and were loved, and now we lie
In Flanders Fields.

Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders Fields.

- John McCrae

Au champ d'honneur, les coquelicots
Sont parsemés de lot en lot
Auprès des croix; et dans l'espace
Les alouettes devenues lasses
Mêlent leurs chants au sifflement
Des obusiers.

Nous sommes morts
Nous qui songions la veille encor'
À nos parents, à nos amis,
C'est nous qui reposons ici
Au champ d'honneur.

À vous jeunes désabusés
À vous de porter l'oriflamme
Et de garder au fond de l'âme
Le goût de vivre en liberté.
Acceptez le défi, sinon
Les coquelicots se faneront
Au champ d'honneur.

- Adaptation signée Jean Pariseau